

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

HENRY J. PRIMERANO,

Plaintiff,

vs

COLIN W. NEVILLE,

Defendant.

**STIPULATION OF DAMAGES**

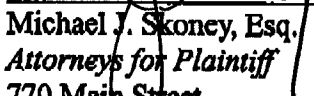
Civ. No.: 07 CV 0151 C(HBS)

IT IS HEREBY STIPULATED AND AGREED, that, in exchange for Defendant not opposing Plaintiff's motion to remand action to State Court, Plaintiff shall not seek damages in the above matter in excess of Seventy Thousand and 00/100 (\$70,000.00) Dollars, regardless of whether the case is resolved through Arbitration or Trial.


IT IS FURTHER STIPULATED AND AGREED, that the total amount of damages in this case will be capped at Seventy Thousand and 00/100 (\$70,000.00) Dollars. This Stipulation may be filed without further notice with the Clerk of the Court.

Dated: Buffalo, New York  
June 19, 2007

VIOLA, CUMMINGS & LINDSAY, LLP

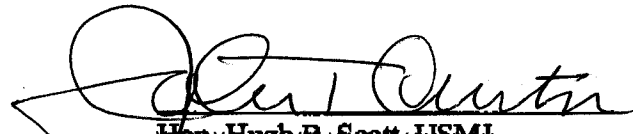
  
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GRANTED:

6/25/07

  
~~Hon. Hugh B. Scott, USMJ~~  
Hon. John T. Curtin  
Senior U.S. District Judge